

January 6, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**APPROVE ENVIRONMENTAL DOCUMENTS, LEASE AND OPERATING
AGREEMENT, JOINT USE AGREEMENT, AND RESOLUTION RELATING TO
CITY OF DIAMOND BAR'S APPLICATION FOR LIBRARY BOND ACT GRANT
TO CONSTRUCT THE DIAMOND BAR LIBRARY (4)
(3-VOTES)**

**JOINT RECOMMENDATION WITH THE CHIEF ADMINISTRATIVE OFFICER THAT
YOUR BOARD:**

1. Acting in your role as a responsible agency with respect to this project, consider the Mitigated Negative Declaration (Attachment 4) for the Diamond Bar Library, together with any comments received during the public review process, find that the project will not have a significant effect on the environment, and that the Mitigation Monitoring Program adopted by the City of Diamond Bar will insure compliance with the project and conditions adopted by the City to mitigate or avoid potentially significant effects on the environment, find that the Mitigated Negative Declaration reflects the independent judgment of the County, and approve the Mitigated Negative Declaration.
2. Approve and authorize the Chairman of the Board to sign the attached Lease and Operating Agreement (Attachment 1), between the County and the City of Diamond Bar.
3. Approve and authorize the Chairman of the Board to sign the attached Joint Use Cooperative Agreement (Attachment 2) between the County and the City of Diamond Bar, Walnut Valley Unified School District and Pomona Unified School District.

4. Approve the Resolution (Attachment 3) certifying the County's commitment to operate the new library to be constructed by the City as required in the Bond Act regulations.
5. Authorize the County Librarian on behalf of the County, as the operator of the library service, to sign the City's Bond Act grant application.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommendations will enable the City of Diamond Bar (City) to submit a grant application to the State for matching funds under the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 (Bond Act) to construct the Diamond Bar Library. The City plans to submit its grant application to the State Library for the third and final application cycle deadline of January 16, 2004.

If the City is successful in obtaining a Bond Act grant, it will construct a new 24,442 square feet library with on-site parking to replace the existing 9,935 square feet library located at 1061 South Grand Avenue in Diamond Bar, which is owned and operated by the County. The new library will be built on land currently owned by the City adjacent to the Diamond Bar Community/Senior Center. Under the terms of the lease with the City, the County will sell the existing library property to the highest bidder in accordance with Sections 25520-25538 of the California Government Code. The net proceeds from the sale will be allocated to the City to offset expenses associated with construction of the new library facility.

Service improvements at the proposed new library include: a larger adult reading area; a Global Citizen Center for youth; an international languages area; a community room to seat 75 people; a computer lab with 16 workstations; two group study rooms; a teen area; a larger children's area with a separate children's activity room; self check machines; 56 public access computers; and an opening day collection of over 122,000 books and audiovisual items. If a grant is awarded, the library books and materials collection in the existing Diamond Bar Library will be transferred to the replacement library when it opens for service.

The Joint Use Cooperative Agreement with the City, Walnut Valley Unified School District and Pomona Unified School District provides for a jointly operated Global Citizen Center as part of the new library. Approval of this agreement will make the City's grant application eligible for first priority consideration for funding by the Bond Act Board.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of these recommendations is consistent with the County's Strategic Plan Goal of Fiscal Responsibility since construction of this facility represents an investment in public infrastructure. It is also consistent with the goal of Service Excellence since the proposed new facility will provide improved library service to the residents of the City. Approval is also consistent with the goal of Children and Families' Well-Being because the library will provide educational facilities and programs for enhancing educational/workforce readiness.

FISCAL IMPACT/FINANCING

The City will be responsible for the total project cost for this new library, estimated at \$10.2 million. The City's project budget includes the cost of constructing the new library, including the purchase of fixtures, furnishings and equipment. Therefore, there is no additional cost to the County associated with the City's project. The County will continue to operate the new library after it is completed, pursuant to the provisions of the lease between the City and County. However, the County's cost will not exceed the current level of expenditure for operation of the existing library.

Operating Budget Impact

The Bond Act requires the applicant, in this case the City, to operate the library for a period of 40 years after completion of the project. If the State approves a grant award for this project, it is anticipated by the City that the new facility will begin operation in August 2007.

Based upon the terms and conditions of the lease, the City will pay for the additional staffing required to operate the larger new facility. In addition, the City will assume the cost of all exterior building maintenance, repair of all building systems, janitorial service, and utilities excluding telephone. The County will continue providing the existing level of staff, and will also be responsible for providing interior building maintenance, telephone and telecommunications service including Internet access services. The County will also maintain the telephone system, computers, and copy machines.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On March 7, 2000, California's voters approved Proposition 14, which established the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000, creating a \$350 million State bond program for construction and renovation of library facilities. The Bond Act provides grant funds to local library jurisdictions on a 65

percent State/35 percent local matching basis. Grant funds will be awarded on a competitive basis in three separate application and funding cycles. The City is the applicant for this project, and intends to submit its grant application for the third and final funding cycle.

It is recommended that the Board approve and execute the Lease and Operating Agreement (Attachment 1) between the City and the County. This agreement provides the legal basis for the County to contribute the value of the existing library property to the City and to continue operating the library service at the new library, which will be owned by the City. It also protects the County by requiring an amortized refund of the County's contribution in the event the City withdraws from the County Library before the expiration of the forty (40) year term of the agreement.

It is also recommended that the Board approve the Joint Use Cooperative Agreement (Attachment 2) with the City, Walnut Valley Unified School District and Pomona Unified School District to provide a jointly operated Global Citizen Center as part of the City's proposed library project. The Bond Act and associated State regulations provide first priority consideration for funding of projects where the agency that operates the library (in this case the County) and one or more school districts have such a cooperative agreement. The agreement has been approved as to form by County Counsel and approved by the City and the school board of each school district. This joint use program provides a Global Citizen Center which includes programs, technology, textbooks and materials for children grades K-6 to enrich the understanding of cultural diversity and to enhance their academic achievement.

The Bond Act regulations require that the Board of Supervisors adopt a resolution in support of the grant application by the City to certify the County's commitment to operate the completed facility and provide public library direct service. The attached resolution (Attachment 3) has been approved as to form by County Counsel and conforms to the Bond Act regulations.

ENVIRONMENTAL DOCUMENTATION

The City, in its role as lead agency in matters pertaining to compliance with the California Environmental Quality Act (CEQA), by Resolution No. 2003-53 adopted by the City Council on September 16, 2003 found and determined that the project will not have a significant effect on the environment; found that the Mitigated Negative Declaration reflected the independent judgment of the City; approved the Mitigated Negative Declaration; and found that the project will have no adverse effect on fish and wildlife resources. As part of the scope of the Mitigated Negative Declaration, a Mitigation Monitoring Program has been included. This program will be implemented and monitored by the City.

Pursuant to Section 15050 of the Environmental Reporting Guidelines, the County as a

responsible agency for this project must certify that it has reviewed and considered the environmental documentation prepared by the lead agency (Attachment 4). The recommendations pertaining to environmental matters are in compliance with these Guidelines and the County is concurring that the environmental review initiated by the City will satisfy the CEQA requirements for the proposed project.

IMPACT ON CURRENT SERVICES

Library service at the existing Diamond Bar Library will not be impacted adversely during construction of the new facility if a grant is awarded for this project.

CONCLUSION

The City's effort to seek Bond Act funding to replace the existing library facility will result in improved library service at limited cost to the County.

Please return two executed original lease agreements, two copies of the minute order, and the adopted, stamped Board letter to the CAO Real Estate Division at 222 South Hill Street, 3rd Floor, Los Angeles, CA 90012, for further processing. In addition, please return four executed originals of the joint use cooperative agreement with original signatures, an original executed resolution, and an adopted copy of this Board letter, along with executed copies of all attachments to Public Library.

Respectfully submitted,

MARGARET DONNELLAN TODD
County Librarian

DAVID E. JANSSEN
Chief Administrative Officer

MDT:DF:jm

Attachments

c: County Counsel
Executive Office, Board of Supervisors

RESOLUTION OF THE LOS ANGELES COUNTY BOARD OF SUPERVISORS

DIAMOND BAR LIBRARY PROJECT

WHEREAS, on March 7, 2000, California's voters approved Proposition 14, which established the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 ("Bond Act") creating a \$350 million State bond program for construction and renovation of library facilities; and

WHEREAS, the current Diamond bar Library is not adequate to the meet the service requirements of the library service area's projected 2020 population; and

WHEREAS, the City of Diamond Bar ("City") desires to apply for Bond Act funds for the construction of a new library, and has prepared a grant application and required supporting documents, to submit for the third grant application cycle deadline of January 16, 2004; and

WHEREAS, the County of Los Angeles ("County") provides library service to the City of Diamond bar and currently operates the existing library within the City; and

WHEREAS, the City and County have negotiated a lease and operating agreement for the County's use and operation of the new library; and

WHEREAS, the State has adopted certain regulations governing the application process to obtain Bond Act funds, which regulations require the City to submit with its application a resolution adopted by the County Board of Supervisors regarding the County's commitment to operate the new library constructed by the City; and

WHEREAS, this resolution complies with the requirements of the State regulations for a Bond Act grant application;

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section 19985 *et seq.* of the Education Code of the State of California, the Board of Supervisors of the County of Los Angeles does hereby certify that the County will operate the completed facility and provide public library direct service.

The foregoing resolution was on the _____ day of _____, 2004, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of the County of Los Angeles Public Library.

VIOLET VARONA-LUKENS
Executive Officer-Clerk of the Board of Supervisors
of the County of Los Angeles

Deputy

APPROVED AS TO FORM:

LLOYD W. PELLMAN
County Counsel

By: _____
Deputy